Remarks

The present response is to the Office Action mailed the above-referenced case on October 19, 2004. Claims 1-45 are presented below for examination. The Examiner has rejected claims 1-8, 10, 16-23, 25, 31-38 and 40 under 35 U.S.C. 102(e) as being anticipated by Draginich et al. (U.S. 6,560,329), hereinafter Draginich. Claims 9, 24 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich in view of Dhir et al. (6,553,113), hereinafter Dhir. Claims 11, 13-15, 26, 28-30, 41 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich in view of Goss (U.S. 6,687,241), hereinafter Goss. Claims 12, 27 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich in view of Shtivelman (U.S. 5,926,539), hereinafter Shtivelman.

Applicant has carefully studied the references provided by the Examiner, and the Examiner's rejections and statements of the instant Office Action. In response applicant herein provides arguments that the combined art presented by the Examiner fails to teach or suggest all of the limitations of applicant's claims in their present form. Applicant points out and argues the key and patentable limitations of applicant's claims as supported in applicant's specification, which are clearly and unarguably patentable over the prior art, either singly or in combination, and which appear to have been misunderstood by the Examiner in his rejections and statements. For convenience and as an aid in prosecution, applicant reproduces claim 1 below.

Claim 1 recites:

1. (original) An agent capability application for monitoring target agent resources and rendering capability information to routing applications, comprising:

a first portion for collecting data regarding capability of the target agent resources; and

a second portion for integrating the data and rendering the capability information to the routing applications.

The Examiner has stated in his remarks, with respect to claim 1, that Draginich discloses applicant's agent capability application (abstract), and also discloses applicant's limitation of monitoring target resources and rendering capability information to routing applications, including applicant's first portion for collecting data regarding capability of the target agent resources, as well as applicant's second portion for integrating the data and rendering that capability information to the routing applications. Upon careful review of Draginich however, applicant must respectfully traverse the Examiner's statements, and disagrees with the Examiner's interpretation of Draginich as anticipating all of the limitations of applicant's claim.

Applicant argues that Draginich does not collect and integrate data of the target agent resources regarding capability of the target resources, as is specifically recited in applicant's claim, and taught in the specification. Draginich teaches (abstract) a routing controller which receives agent station status (not capability) data from the agent stations, in addition to call information, and select an agent for routing an event based on the agent status data. Draginich teaches (col. 4, lines 36-45), with reference to figure 1, that the routing controller (20) receives updates of agent status, the agent status including different agent states, which is described as typically including whether the agent this idle, ready, ringing, active, wrap up and hold. The specification goes on to describe that the routing controller analyzes the collected call data and agent status data to select the target agent station for routing the event. The routing controller directs the call server (22) to route the call to the selected agent station (11-14) based on the status of the agent station.

Applicant must argue however that the attributes monitored in Draginich, namely, states of idle, ready, ringing, active, wrap up and hold, are simply states of the agent

station, and have little or nothing to do with the actual capabilities of the agent or agent station. In applicant's invention, not only is data regarding the above agent states of the agent station monitored, discovered and collected, applicant's invention also teaches monitoring, discovery and collection of information pertaining to specific hardware and/or software communication capabilities of the agent. Referring to applicant's figure 1 and supporting description in the specification, applicant's invention provides a plurality of distributed software instances (61) adapted as a presence agent, capable of monitoring the present state of an agent's communication capabilities and current communication states, according to much finer resolution than as practiced in current art, such as in Draginich.

Referring again to applicant's specification with reference to figure 1, software (61) may be adapted to include communication capabilities such as e-mailed, fax, IP phone, chat communication applications, file sharing applications, as well as instant messenger applications, and may also report system platform and other software application parameters. Applicant believes that this teaching is advantageously distinct over that of Draginich, because in applicant's system, intelligent routing of all sorts of electronic transactions, including telephone calls, e-mails, videoconferencing, Internet related events, and so on may be performed by the routing server taking into account the specific capabilities of agent resources.

The advantages of a routing application having access to the hardware and software capabilities of age and resources, such as in applicant's invention, is that the intelligent routing may be performed for all sorts of electronic events as discussed above. For example, certain communication events for routing require specific hardware and/or software, and must be routed to an agent which can handle the protocol of the incoming communication events for routing. There will always be instances in a communication center, and especially in a plurality of communication centers to which events are to be routed, wherein not all of the agent stations support the same communications systems

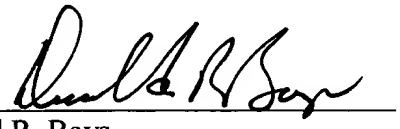
and protocols. In these cases it is most advantageous to have the ability to monitor, discover and collect data pertaining to the actual hardware/software communication capabilities of the agent, not just the status of the agent station, i.e. station presence information such as a Draginich, and intelligently route the events based on such capability data.

Applicant strongly believes that claim 1 in its present form, which specifically recites collecting and integrating data pertaining to target agent capabilities, is therefore clearly and unarguably patentable over the art of Draginich. Applicant's independent claims 16 and 31 recite applicant's proxy system and method in accordance with the limitations of claim 1, and also recite agent resource capabilities. The Examiner has rejected claims 16 and 31 using the same or similar criteria as for the rejection of claim 1. Applicant believes that claims 16 and 31 are therefore patentable over Draginich as argued above by applicant on behalf of claim 1.

The Examiner has rejected claims 9, 24 and 39 as being unpatentable over Draginich in view of Dhir, claims 11, 13-15, 26, 28-30, 41 and 43-45 as being unpatentable over Draginich in view of Goss, and claims 12, 27 and 42 as being unpatentable over Draginich in view of Shtivelman. The Examiner has relied on the reference of Dhir for teaching more than one proxy server to provide redundancy, the reference of Goss for teaching a hierarchical proxy system, and the reference of Shtivelman for teaching multiple programs dedicated to multiple communication devices associated with a single agent. However these aspects taught by the secondary references and relied upon by the Examiner in his rejections, are all aspects well-known and established in the art of endeavor, and in combination with the primary reference, fail to produce applicant's invention. All of the above claims are depending claims. In view of applicant's above argument on behalf of the independent claims, that Draginich fails as a primary reference for the reasons stated, depending claims 2-15, 17-30 and 32-45 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims standing for examination have been shown to be patentable inner present form over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
Stefaan Valere Albert Coussement

by 
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